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DEC 05 2006

REMARKS

Claims 48-58, 75 and 76 are canceled without prejudice or disclaimer. Claims 59 and 70 are currently amended. New claim 79 is added.

It is respectfully submitted that the present amendments present no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Withdraw of Claims 69-74 and 76 as Being Directed to Non-Elected Invention

Independent claim 59 has been amended to recite, *inter alia*, an alteration at position 171 of SEQ ID NO: 1. Thus, all claims which depend from claim 59 relate to the elected invention and no claims are withdrawn.

II. The Objections to Claims 69, 70, 72 and 75-77 under 37 CFR 1.75(c).

It is respectfully submitted that dependent claims 69, 72 and 77 provide additional limitation in that these claims include substitutions with greater specificity. Thus, the dependent claims are narrower than the claim from which they depend. Reconsideration is urged.

Claims 75 and 76 are canceled.

Claim 70 is currently amended. Reconsideration is urged.

III. The Objections to Claims 69, 70, 72 and 75-77.

The Applicants respectfully disagree with the Examiner that claims 69, 70, 72 and 77 recite positions for substitution not present in claim 59. Applicants respectfully ask the Examiner to reconsider and please identify any missing positions with specificity.

IV. The Rejection of Claims 48-58 for Double Patenting and Pursuant to 35 U.S.C. § 102(e).

These claims are canceled and the rejections are moot.

V. The Rejection of Claims 59-68, 73, 74 and 78 as Obvious

Claims 59-68, 73, 74 and 78 stand rejected pursuant to 35 U.S.C. 103 as being obvious over Outtrup *et al.* (US 6,511,371) in light of Wintrod (of record). These rejections are respectfully traversed.

Claims 59 is amended such that no serine position is listed as an alteration position. It is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the

teachings of Wintrode with the teachings of Outtrup to select one or more non-serine positions. Moreover, none of the references disclose or suggest the protease variants claimed herein.

For the foregoing reasons, Applicants submit that the amended claims overcome the rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of this rejection.

VI. New claim 79

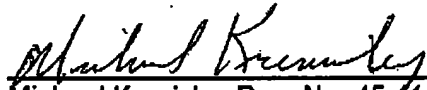
The Examiner has indicated that Claim 71 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim. New claim 79 is claim 71 rewritten in independent form including all of the limitations of the base claim. Applicants respectfully request consideration in light of the Examiner's indication that the claim would be allowable if so amended.

VII. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone at (212) 840-0097 (x14) if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: December 5, 2006


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